

DECISION MEMORANDUM

**TO: COMMISSIONER KJELLANDER
COMMISSIONER RAPER
COMMISSIONER ANDERSON
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL**

**FROM: DAYN HARDIE
DEPUTY ATTORNEY GENERAL**

DATE: OCTOBER 25, 2021

**SUBJECT: IN THE MATTER OF ROCKY MOUNTAIN POWER’S APPLICATION
FOR AUTHORITY TO INCREASE ITS RATES AND CHARGES IN
IDAHO AND APPROVAL OF PROPOSED ELECTRIC SERVICE
SCHEDULES AND REGULATIONS; CASE NO. PAC-E-21-07.**

On May 27, 2021, PacifiCorp dba Rocky Mountain Power (“Company”) applied to the Commission requesting authority to increase its Idaho jurisdictional revenue requirement by \$19.0 million, or approximately 7.0 percent. The Company requested a July 1, 2021, effective date.

On June 17, 2021, the Commission issued a Notice of Application, a suspension of the proposed effective date, and a Notice of Intervention Deadline. Order No. 35079. Bayer Corporation (“Bayer”), Community Action Partnership Association of Idaho (“CAPAI”), Idaho Conservation League (“ICL”), Idaho Irrigation Pumpers Association, Inc. (“IIPA”), and PacifiCorp Idaho Industrial Customers (“PIIC”) (the “Intervenors”) intervened in the case.¹

On August 13, 2021, Staff notified the Commission that the parties intended to enter settlement discussions with the intent to resolve the outstanding issues in the case.

At the Commission’s August 17, 2021 Decision Meeting, the Commission considered Staff’s recommendation for a proposed schedule for processing this case. On August 24, 2021, the Commission issued Order No. 35144 establishing the following schedule:

¹ CAPAI and ICL have both sought to withdraw from this case. The Commission will decide whether to grant CAPAI and ICL’s withdrawal at its October 26, 2021, decision meeting. Neither were involved in the settlement discussion

Public Workshop	October 13, 2021
Staff/Intervenor Prefile Testimony for parties ²	October 20, 2021
Company Rebuttal Testimony	November 3, 2021
Customer Hearing	November 15, 2021
Technical Hearing	November 16-19, 2021

On September 13, 2021, the parties began settlement discussions. *See* Rules 271 through 277 of the Commission’s Rules of Procedure, IDAPA 31.01.01.271-.277.

On October 14, 2021, Staff filed a motion to vacate the October 20, 2021 Staff and Intervenor prefile testimony deadline. The Commission issued Order No. 35201 on October 18, 2021 vacating the October 20, 2021 Staff and Intervenor prefile testimony deadline.

SETTLEMENT AND STIPULATION

On October 25, 2021, the Company filed a Stipulation and Settlement (“Settlement”) signed by Bayer, IIPA, PIIC, the Company, and Staff—the parties who actively engaged in settlement negotiations. *See* IDAPA 31.01.01.056, .272, and .274. The parties agree that the Settlement resolves the outstanding issues in the case.

STAFF RECOMMENDATION

Staff recommends the Commission issue a Notice of Proposed Settlement and amend the schedule in this proceeding. The deadline for the Company’s rebuttal testimony is no longer necessary, as all parties not seeking to withdraw from the proceeding support the proposed Settlement. Staff also recommends the Commission establish a Company reply deadline and a customer comment deadline for interested persons to file written comments regarding the proposed Settlement. Finally, Staff recommends the previously scheduled technical hearing be shortened to a single day, commencing on November 16, 2021.

² On October 18, 2021, the Commission issued Order No. 35201 vacating the Staff and Intervenor prefile testimony deadline.

Having consulted with the parties, Staff recommends the following schedule:

Testimony in Support	November 8, 2021
Company Reply	November 10, 2021
Customer Hearing	November 15, 2021
Technical Hearing	November 16, 2021
Customer Comment Deadline	November 16, 2021

COMMISSION DECISION

Does the Commission wish to:

1. Issue a Notice of Proposed Settlement?
2. Amend the procedural schedule as described above, providing notice as appropriate?
3. Anything else?



Dayn Hardie
Deputy Attorney General

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